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REFERENCE TITLE: **capital outlay; budget.**

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

SB 1514

Introduced by
Senators Burns, Bee, Bennett, Blendu, Huppenthal: Jarrett, Martin,
Tibshraeny (with permission of committee on Rules)

AN ACT

**MAKING CAPITAL OUTLAY APPROPRIATIONS FOR THE DIFFERENT DEPARTMENTS OF THE
STATE AND FOR STATE INSTITUTIONS; REQUIRING CERTAIN REPORTS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Capital outlay appropriations: major maintenance and
 3 repair of state buildings

4 A. Notwithstanding section 41-793.01, Arizona Revised Statutes, the
 5 amounts appropriated in this section are appropriated for fiscal year
 6 2005-2006 and shall be used by the applicable agency for major maintenance
 7 and repair activities for state buildings in accordance with title 41,
 8 chapter 4, article 7, Arizona Revised Statutes. Twenty-five per cent or less
 9 of the monies may be spent for state building modifications to comply with
 10 the federal Americans with disabilities act (42 United States Code sections
 11 12101 through 12213 and 47 United States Code sections 225 and 611) or for
 12 major maintenance and repair activities for state infrastructure. The monies
 13 may only be used for facilities on the state building inventory or for
 14 infrastructure that directly supports those facilities. Of the amounts
 15 appropriated to the Arizona department of administration, up to \$275,000 in
 16 personal services and employee related expenditures for up to five full-time
 17 employee positions may be allocated each fiscal year until the building
 18 renewal projects are completed. All other monies appropriated in this
 19 section shall not be spent for personal services or employee related
 20 expenditures or for maintenance contracts on building components and
 21 equipment without review by the joint committee on capital review. Any
 22 monies appropriated for building renewal in fiscal year 2005-2006 that are
 23 unexpended or unencumbered on September 30, 2007 shall revert to the fund
 24 from which the monies were appropriated.

25 B. DEPARTMENT OF ADMINISTRATION \$ 3,400,000

26 Fund source:

27 Capital outlay stabilization fund \$ 3,400,000

28 The department of administration shall allocate the monies to state
 29 agencies for necessary building renewal. If monies in the capital outlay
 30 stabilization fund are insufficient to fund the appropriation to the
 31 department of administration for building renewal, the appropriation to the
 32 department of administration shall be reduced by the difference between the
 33 amount appropriated to the department of administration from the capital
 34 outlay stabilization fund and the balance in the capital outlay stabilization
 35 fund.

36 C. DEPARTMENT OF TRANSPORTATION \$ 3,702,900

37 Fund sources:

38 State highway fund \$ 3,627,100

39 State aviation fund \$ 75,800

40 D. ARIZONA EXPOSITION AND STATE FAIR BOARD \$ 1,386,800

41 Fund source:

42 Arizona exposition and state fair fund \$ 1,386,800

43 E. GAME AND FISH DEPARTMENT \$ 388,900

44 Fund source:

45 Game and fish fund \$ 388,900

46 F. ARIZONA LOTTERY COMMISSION \$ 47,600

1 Fund source:
 2 State lottery fund \$ 47,600
 3 Sec. 2. Capital outlay appropriations; major capital projects:
 4 game and fish department
 5 2005-2006
 6 Game and fish department:
 7 1. Black Canyon Dam modifications \$ 500,000
 8 Fund source:
 9 Game and fish capital improvement fund \$ 500,000
 10 2. Migratory waterfowl habitat \$ 100,000
 11 Fund source:
 12 Waterfowl conservation fund \$ 100,000
 13 3. Statewide preventative maintenance \$ 30,000
 14 Fund source:
 15 Game and fish fund \$ 30,000
 16 Fund sources:
 17 Game and fish capital improvement fund \$ 500,000
 18 Waterfowl conservation fund \$ 100,000
 19 Game and fish fund \$ 30,000
 20 Total appropriation - game and fish department \$ 630,000
 21 Sec. 3. Capital outlay appropriations; major capital projects:
 22 lottery commission
 23 2005-2006
 24 Lottery facility improvements \$ 76,900
 25 Fund source:
 26 Arizona lottery fund \$ 76,900
 27 Sec. 4. Capital outlay appropriations; major capital projects:
 28 department of transportation
 29 2005-2006
 30 Department of transportation:
 31 1. Statewide highway construction \$206,785,000
 32 Fund source:
 33 State highway fund \$206,785,000
 34 The amount appropriated for highway construction is from the state
 35 highway fund for the planning and construction of state highways, including
 36 the national system of interstate highways within this state, the state
 37 primary or secondary system, the county primary or secondary system and urban
 38 rural routes, the acquisition of rights-of-way, the cost of contracted field
 39 administration and field engineering on construction projects and debt
 40 service payments on bonds issued for highway construction. Any balances and
 41 collections in the state highway fund in excess of the specific amounts
 42 appropriated in the general appropriations act and in this act are
 43 appropriated to the department for the purposes provided in this paragraph.
 44 The department shall install exit ramp barriers at the north bound loop
 45 101 and 90th/Pima exit ramp.

1	2. <u>Airport planning and development</u>	\$ 16,956,000
2	Fund source:	
3	State aviation fund	\$ 16,956,000
4	The amount is appropriated from the state aviation fund for the	
5	planning, construction, development and improvement of state, county, city or	
6	town airports as determined by the state transportation board. Any balances	
7	and collections in the state aviation fund in excess of the specific amounts	
8	appropriated in the general appropriations act and in this act are	
9	appropriated to the department of transportation for the purposes provided in	
10	this paragraph.	
11	3. <u>Payson equipment shop</u>	\$ 1,536,500
12	Fund source:	
13	State highway fund	\$ 1,536,500
14	4. <u>Sprinklers/fire alarms</u>	\$ 1,265,000
15	Fund source:	
16	State highway fund	\$ 1,265,000
17	5. <u>De-icer buildings</u>	\$ 1,089,000
18	Fund source:	
19	State highway fund	\$ 1,089,000
20	6. <u>Oil storage tanks</u>	\$ 637,600
21	Fund source:	
22	State highway fund	\$ 637,600
23	7. <u>Payson MVD service center</u>	\$ 915,900
24	Fund source:	
25	State highway fund	\$ 915,900
26	Total appropriation - department of transportation	\$229,185,000
27	Fund sources:	
28	State highway fund	\$212,229,000
29	State aviation fund	\$ 16,956,000

30 Sec. 5. Office of homeland security; appropriation

31 Notwithstanding section 28-6547, Arizona Revised Statutes, or any other
 32 law, the sum of \$600,000 is appropriated from the safety enforcement and
 33 transportation infrastructure fund in fiscal year 2005-2006 to the Arizona
 34 office of homeland security for the office of homeland security to work with
 35 the department of transportation to improve traffic safety in this state.

36 Sec. 6. State archives and history building; appropriation

37 A. The sum of \$15,000,000 is appropriated from the state general fund
 38 in each of fiscal years 2005-2006 and 2006-2007 to the department of
 39 administration for costs of the construction administration, site
 40 preparation, construction, furnishings, fixtures, equipment and relocation of
 41 materials for the Polly Rosenbaum state archives and history building and
 42 related infrastructure as described in Laws 2004, chapter 194. Of the amount
 43 appropriated, up to \$200,000 and 3 full-time employees may be allocated in
 44 each fiscal year to oversee and manage the project until its completion.

45 B. Before issuing any request for proposals or procuring any services
 46 related to the appropriation provided in subsection A of this section, the

1 department shall submit the plan for the procurement method or methods to be
2 used to the joint committee on capital review for its review. Before
3 undertaking any construction activities, the department shall submit the
4 scope, purpose and estimated cost of the project to the joint committee on
5 capital review for its review.

6 C. The appropriation made in subsection A of this section is exempt
7 from the provisions of section 35-190, Arizona Revised Statutes, relating to
8 lapsing of appropriations until completion of the project.

9 Sec. 7. Department of economic security; property exchange;
10 privatized lease to own; appropriation

11 A. The sum of \$150,000 is appropriated from the state general fund in
12 fiscal year 2005-2006 to the department of economic security for a property
13 exchange with the city of Prescott. Before executing any property exchange
14 pursuant to this subsection, the department of economic security shall submit
15 the property exchange agreement to the joint committee on capital review for
16 its review.

17 B. The department of economic security may effect a capital lease to
18 build a multiservice center on the property acquired through the exchange as
19 authorized in subsection A of this section. Any lease agreement pursuant to
20 this section is subject to section 41-1958, Arizona Revised Statutes,
21 including review by the joint committee on capital review.

22 Sec. 8. Department of administration reports; FTE positions;
23 reallocations

24 A. The department of administration shall report on the status of
25 project-specific FTE positions for capital projects in its annual capital
26 budget request.

27 B. The department of administration may allocate FTE positions
28 authorized for specific projects to other projects in this act provided that
29 funding for the FTE positions is cost allocated among the projects receiving
30 benefit. The department of administration shall report any FTE position
31 reallocations to the joint committee on capital review by December 31, 2005.

32 Sec. 9. Department of transportation reports; professional and
33 outside services

34 Before the expenditure of any monies for professional and outside
35 services, including contracted field administration and field engineering,
36 the department of transportation shall submit information on professional and
37 outside services funded from the capital budget to the joint committee on
38 capital review by July 1, 2005 for review. The submitted information shall
39 contain at least as much detail for professional and outside services as the
40 department's annual operating budget.

41 Sec. 10. Use of appropriations; limitation

42 Unless otherwise specified, the monies appropriated in this act shall
43 not be spent for personal services or employee related expenditures of state
44 employees, excluding any services provided as part of the inmate construction
45 program for correctional facilities.

46 Sec. 11. Lapsing; exemption

1 Unless otherwise specified, the appropriations made in this act do not
2 lapse until the purpose for which the appropriation was made has been
3 accomplished or abandoned, or the appropriation stands for a full fiscal year
4 without an expenditure or an encumbrance.